IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.328 OF 2005

Mr. Kandaswami Munnuswami Devendra ...Appellant.

V/s

The State of Maharashtra ...Respondent.

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Mr. M.K. Kocharekar for the appellant.
Ms. Rajeshree M. Gadhvi, APP for the State.

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ALONG WITH
CRIMINAL APPEAL NO.567 OF 2005

Mr. Shamsuddin Bashir Ahmed Shekh ...Appellant.

V/s

State of Maharashtra ...Respondent.

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Mr. M.K. Kocharekar for the appellant.
Ms. Rajeshree M. Gadhvi, APP for the State.

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**CORAM: V.M. KANADE, J.**

**DATE: 24th April, 2006**

P.C.

1. Heard the learned Counsel for the appellant and the learned APP for the State.

2. For the reasons separately recorded, following order is passed:-

O R D E R

. Both the appeals are partly allowed. The conviction is confirmed. The sentence however is reduced to the period which the appellant has already undergone.

. The appellant in Criminal Appeal No. 328 of 2005 has undergone 4 years and 4 months of the sentence. The sentence is reduced to 4 years and 4 months. If the appellant has already undergone the sentence, he shall be released forthwith, unless required in any other case.

. The appellant in Criminal Appeal No. 567 of 2005 is convicted and sentenced to suffer R.I. for 4 years and 6 months. The appellant is in jail since 15/11/2001. The appellant has already undergone the sentence. The appellant be released forthwith, unless required in any other case.

. Both the Appeals are accordingly disposed of in the above terms.

**V.M. KANADE, J.**